In the Hon'ble High Court of Chhattisgarh, Bilaspur.

W.P.No.....3432.....2006

SINGLE BENCH

Petitioner - Manoj Sharma, Age 46 years,
S/o Late N.P. Pandey,
Sub Engineer,
Janpad Panchayat, Durg

Versus

Respondents

1. The State Govt. of Chhattisgarh,
Through – The Secretary,
Panchayat & Rural Development
Department, D.K.S. Bhawan,
Raipur.

2. Chief Executive Officer,
Janpad Panchayat,
Durg.

P.R. No. 3502/06
Presented by Shri S.K. Verma
dated 11/12/06

Writ Petition Under Articles 226/227 of The Constitution Of India for the issuance of WRIT in the nature of MANDAMUS certiorari, Prohibition and for other suitable writ or writs, order or orders, direction or directions.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 3432/06 **सन् 200**

27

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13.7.2006 Heard Shri R.S. Shrivastava, Adv. for the petitioner. Shri Sumesh Bajaj, Govt. Adv. for the State on advance copy. By the instant petition the petitioner has questioned the legality, propriety and correctness of order dated 31.6.2006 whereby the petitioner has been transferred from Janpad Panchayat, Durg to Janpad Panchayat Koyalibeda, District Kanker. The main ground of the petitioner to challenge this transfer is that he has been transferred within a short span of period and he is an office bearer also. It is settled law that the Court can exercise the power of judicial review in case of transfer of an employee only when the transfer is an outcome of malafide or contrary to the statutory rules or impugned order is passed by the incompetent authority. The petitioner's case is not covered in any of the aforesaid conditions, therefore, there is no merit in this petition, same is liable to be dismissed and it is accordingly, dismissed. Consequently, M.(W.)P. No. 2634/06 also stands dismissed. Roshan/-	**Sd/-** **L.C. Bhadoo**

P.T.O.

18.7.06 22.7.06